

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of Water Appropriation)
A-9750, a Permit to Divert Water)
from a Tributary to the West Fork)
of the Big Blue River for Irrigation.)
Water Division 1-D.)

ORDER OF CANCELLATION

This matter came on for consideration before the Director of the Department of Natural Resources (Department) pursuant to Department rule 457 N.A.C. 3. The Director FINDS:

1. Water appropriation A-9750, with a priority date of August 17, 1959, was approved to divert 0.02 cubic foot per second (cfs) of water from a tributary to the West Fork of the Big Blue River for irrigation of the following described lands:

Township 7 North, Range 10 West	
<u>Adams County</u>	<u>Acres</u>
Section 1: NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.5
(Lot 8 in South Shore Subdivision)	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>0.8</u>
(Lots 3 & 4 in South Shore Subdivision)	
TOTAL	1.3

2. On February 5, 2005, a Relinquishment of Water Appropriation In Part was filed in the office of the Department by Michael and Rachelle Johnson, relinquishing the right to divert water from a tributary to the West Fork of the Big Blue River for use upon the following described lands:

Township 7 North, Range 10 West	
<u>Adams County</u>	<u>Acres</u>
Section 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.2
(East 44 feet of Lot 3 in South Shore Subdivision)	

3. On March 15, 2005, a Relinquishment of Water Appropriation In Part was filed in the office of the Department by Larry and Barb Schnase, Trustees of the Larry D. and Barbara C. Schnase Revocable Trust,

relinquishing the right to divert water from a tributary to the West Fork of the Big Blue River for use upon the following described lands:

Township 7 North, Range 10 West
Adams County Acres

Section 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2
(West 36 feet of
Lot 4 in South
Shore Subdivision)

4. On March 16, 2005, a Relinquishment of Water Appropriation In Part was filed in the office of the Department by Demas Griess, relinquishing the right to divert water from a tributary to the West Fork of the Big Blue River for use upon the following described lands. The relinquishment prepared by the Department was in error describing lands below. Because the size of the lots total 0.4 acres, the relinquishment filed by Demas Griess is found to be sufficient.

Township 7 North, Range 10 West
Adams County Acres

Section 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.4
(West 58 feet of
Lot 3 and East 66
feet of Lot 4 in
South Shore
Subdivision)

5. On September 12, 2006, a Relinquishment of Water Appropriation In Part was filed in the office of the Department by Robert L. and Deyona L. Poppe, relinquishing the right to divert water from a tributary to the West Fork of the Big Blue River for use upon the following described lands:

Township 7 North, Range 10 West
Adams County Acres

Section 1: NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5
(Lot 8 in South
Shore Subdivision)

It is CONCLUDED that water appropriation A-9750 is being abandoned and should be cancelled as provided under Department rule 457 N.A.C. 3.

It is therefore ORDERED that the water appropriation granted under A-9750 to divert water from a tributary to the West Fork of the Big Blue River in the amount of 0.02 cfs for use upon the above described lands is hereby CANCELLED.

DEPARTMENT OF NATURAL RESOURCES

September 21, 2006

Ann Bleed, Acting Director

A copy of this Order was mailed on September ____, 2006, to Michael and Rachelle Johnson, 406 South Shore Drive, Hastings, Nebraska 68901; to Larry and Barb Schnase, 426 South Shore Drive, Hastings, Nebraska 68901; to Demas Griess, 420 South Shore Drive, Hastings, Nebraska 68901; to Robert and Deyona Poppe, 518 South Shore Drive, Hastings, Nebraska 68901; and provided to the Department's field office, Lincoln, Nebraska.